

Proposed rulemaking was published on pages 22901 and 22902 in the *Federal Register* of April 22, 1981, and invited comments for 30 days ending May 22, 1981. Only four letters of comment were received. Three of them supported the proposed amendments.

The fourth commenter suggested that the Department of the Interior slow down and give more consideration to its rule changing. Since the commenter did not request an extension of time for commenting nor make specific suggestions regarding the proposed amendments, we are proceeding with the final rulemaking.

The Department of the Interior has determined that this document is not a major rule and does not require a regulatory analysis under Executive Order 12291 and 43 CFR Part 14. The Department has also certified that this rulemaking will not have a significant economic impact on a substantial number of small entities, thus a small entity flexibility analysis is not required.

Under the authority of the Act of February 25, 1920 (30 U.S.C. 189), the Geothermal Steam Act of 1970 (30 U.S.C. 1023), and Executive Order 12291 (46 FR 13193), Parts 200, 231 and 270; Chapter II; Title 30 of the Code of Federal Regulations are amended as set forth below.

Dated: July 20, 1981.

Daniel N. Miller, Jr.,

Assistant Secretary for Energy and Minerals.

PART 200—FORMS AND REPORTS

§ 200.1 [Amended]

1. Part 200 is amended by removing paragraph (g) of § 200.1.

PART 231—OPERATING REGULATIONS FOR EXPLORATION, DEVELOPMENT AND PRODUCTION

§ 231.25 [Removed]

2. Part 231 is amended by removing § 231.25.

§ 231.30 [Removed]

3. Part 231 is amended by removing § 231.30.

PART 270—GEOTHERMAL RESOURCES OPERATIONS ON PUBLIC, ACQUIRED, AND WITHDRAWN LANDS

§ 270.76 [Removed]

4. Part 270 is amended by removing § 270.76.

[FR Doc. 81-24249 Filed 8-19-81; 8:45 am]

BILLING CODE 4310-31-M

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 203

Treasury Tax and Loan Depositories

AGENCY: Fiscal Service, Treasury.

ACTION: Final rule; Technical Change.

SUMMARY: This technical change eliminates a reference in the regulations to a specific table number published in the *Federal Reserve Bulletin*. This change is necessary because the reference number of the table has been changed. The effect of this change is to refer to the table by title only which can be located in the *Federal Reserve Bulletin* table of contents.

DATES: This technical change is effective August 17, 1981.

FOR FURTHER INFORMATION CONTACT: Andrew F. Flott, Systems Accountant, Cash Management Operations Staff, Bureau of Government Financial Operations, Washington, D.C. 20226, 202/566-3025.

PART 203—TREASURY TAX AND LOAN DEPOSITARIES

31 CFR 203.2 is amended by revising § 203.2(d) to read as follows:

§ 203.2 Definitions.

(d) "Federal funds rate" means the weekly Federal funds rate as published in the *Federal Reserve Bulletin* in the table entitled "Interest Rates, Money and Capital Markets".

Dated: July 28, 1981.

Paul H. Taylor,

Fiscal Assistant Secretary.

[FR Doc. 81-24304 Filed 8-19-81; 8:45 am]

BILLING CODE 4810-35-M

DEPARTMENT OF DEFENSE

Department of the Army

32 CFR Part 581

Discharge Review Board (DRB) Procedures and Standards

AGENCY: Department of the Army, DOD.
ACTION: Amendment of Final Rule.

SUMMARY: This rule revises Department of the Army policy for the Army Discharge Review Board. Under the revised policy, certain former members of the inactive reserve components of the Army may be entitled to upgrade of their discharges. Discharge review

applicants affected by this rule will be issued an honorable discharge unless the proper grounds exist for the issuance of a general or other than honorable (formerly undesirable) discharge.

Publication of this rule as a proposed rule for the purposes of public comment is considered unnecessary, impractical, and contrary to public interest in view of the Court Order requiring timely publication of the revised policy this rule sets forth.

EFFECTIVE DATE: August 20, 1981.

FOR FURTHER INFORMATION CONTACT:

Major Donald P. Fellers, Army Discharge Review Board, ATTN: SFRB, Washington, D.C. 20310 (202) 695-0086.

PART 581—PERSONNEL REVIEW BOARDS

Accordingly, 32 CFR 581.2, Appendix C; paragraph 2 is revised to read as follows:

§ 581.2 Army Discharge Review Board.

Appendix C—Discharge Review Standards

1. * * *

2. Propriety.

(i) A discharge shall be deemed to be proper unless, in the course of discharge review, it is determined that:

(a) There exists an error of fact, law, procedure, or discretion associated with the discharge at the time of issuance; and that the rights of the applicant were prejudiced thereby (such error shall constitute prejudicial error, if there is substantial doubt that the discharge would be remained the same if the error had not been made); or

(b) A change in policy by the Military Service of which the applicant was a member, made expressly retroactive to the type of discharge under consideration, requires a change in the discharge.

(ii) The following applies to applicants who received less than fully honorable administrative discharges because of their civilian misconduct while in an inactive reserve component and who were discharged or had their discharge reviewed on or after April 20, 1971: The DRB shall either recharacterize the discharge to honorable without any additional proceedings or complete a review to determine whether proper grounds exist for the issuance of a less than honorable discharge, taking into account that:

(a) An other than honorable (formerly undesirable) discharge can only be based upon civilian misconduct found to have affected directly the performance of military duties;

(b) A general discharge can only be based upon civilian misconduct found to have had an adverse impact on the overall effectiveness of the military, including military morale and efficiency.

* * * * *

Dated: August 13, 1981.

John O. Roach, II,

Department of the Army Liaison Officer with
the Federal Register.

[FR Doc. 81-24242 Filed 8-19-81; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 1

[CGD 81-063]

Delegation of Authority Under Regulatory Flexibility Act

AGENCY: Coast Guard, DOT.

ACTION: Final Rule.

SUMMARY: The Regulatory Flexibility Act requires agencies to prepare analyses describing the impact of their regulations on small businesses and other small entities unless the regulations are certified not to have a significant economic impact on a substantial number of small entities. Each Coast Guard District Commander and Captain of the Port is authorized to make this certification for regulations that they issue. This rule formalizes the authorization as a delegation of authority in Coast Guard regulations.

EFFECTIVE DATE: September 21, 1981.

FOR FURTHER INFORMATION CONTACT: William R. Register, Office of the Chief Counsel, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, D.C. 20593 (202) 426-1534.

SUPPLEMENTARY INFORMATION: Since this rule relates to management, organization, and procedure, notice and public procedure on it are not required and it may be made effective in less than 30 days after publication in the Federal Register. For the same reasons, it is not subject to the requirements of Executive Order 12291 on Federal Regulations. Also, the rule is considered to be nonsignificant under guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5-22-80). An economic evaluation has not been prepared since, as in the case of most delegations of authority, the impact of the rule on the public is expected to be minimal. Its principal impact on the Coast Guard will be to promote greater efficiency in management.

The Regulatory Flexibility Act, Pub. L. 96-354, which became effective on January 1, 1981, requires agencies to

consider the effect of proposed and final rules on small entities, i.e., small businesses, organizations, and governments. In connection with these considerations, agency heads are required to make certain findings and determinations as to matters set out in the Act. The Secretary of Transportation has formally delegated authority to the Commandant to make these findings and determinations. The delegation was published in Federal Register of April 20, 1981, beginning at page 22593.

Sections 603 and 604 of the Regulatory Flexibility Act require preparation of both an initial and final "regulatory flexibility analysis" for rules that are preceded by a general notice of proposed rulemaking. However, section 605(b) of the Act provides for an exemption from these requirements in cases where the head of the agency certifies that the rules will not have a "significant economic impact on a substantial number of small entities." Each District Commander and Captain of the Port is authorized to make the section 605(b) certification for rules that they issue. This document formalizes the authorization as a delegation of authority in Coast Guard regulations. Proposed and final rules to which this delegation relates include anchorage, drawbridge, and regatta regulations, and safety and security zone regulations. The delegations of authority to field commands to issue these regulations are published in §§ 1.05-1, 6.04-6, 100.35, 147.01-3, and 165.10 of Title 33, Code of Federal Regulations.

In consideration of the foregoing, Part 1 of Title 33, Code of Federal Regulations, is amended by adding a new paragraph (i) to § 1.05-1 to read as follows:

§ 1.05-1 General

(i) The Commandant redelegates to each Coast Guard District Commander and Captain of the Port the authority to make the certification in section 605(b) of the Regulatory Flexibility Act (Sec. 605(b), Pub. L. 96-354, 94 Stat. 1168 (5 U.S.C. 605)) for rules that they issue.

(80 Stat. 944 (49 U.S.C. 1657(e)(2)); 49 CFR 1.45 and 1.46.)

Dated: August 11, 1981.

R. H. Scarborough,

Vice Admiral, U.S. Coast Guard, Acting
Commandant.

[FR Doc. 81-24350 Filed 8-19-81; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Parts 1, 114, 115, and 116

[CGD 80-099]

Issuance of Bridge Permits; Delegation of Authority

AGENCY: Coast Guard, DOT.

ACTION: Final rule; correction.

SUMMARY: The Coast Guard is renumbering one section in its final rule delegating authority for the issuance of bridge permits. This action is necessary because the number found in the final rule has already been used for a section previously added to 33 CFR Part 1. Three cross references to the renumbered section are also being changed as part of this correction.

FOR FURTHER INFORMATION CONTACT:

Frank L. Teuton, Jr., Bridge Administration Division (G-NBR/14), U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593 (202-426-0942).

SUPPLEMENTARY INFORMATION:

In consideration of the foregoing, the following corrections are made in FR Doc. 81-21856 published on July 27, 1981 (46 FR 38353):

1. On page 38353, § 1.01-50 *Delegations for issuance of bridge permits*, is redesignated § 1.01-60.
2. On page 38353, the last sentence of § 114.01(d) is corrected to read: "These delegations may be found in §§ 1.05-1 and 1.01-60 of this chapter."
3. On page 38354, the first clause in § 115.60(d)(1) is corrected to read: "The District Commander may issue the permit if authorized under § 1.01-60(b) of this chapter;"
4. On page 38355, the second sentence in § 115.60(e) is corrected to read: "The District Commander may approve amendments to any permits which that official is authorized to issue under § 1.01-60(b) of this chapter."

(5 U.S.C. 559; 14 U.S.C. 633; 33 U.S.C. 401, 491, 499, and 525; 49 U.S.C. 1655(g); and 49 CFR 1.46(c) and (q))

Dated: August 12, 1981.

Peter J. Rots,

Captain, U.S. Coast Guard, Acting Chief,
Office of Navigation.

[FR Doc. 81-24349 Filed 8-19-81; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52****[A-5-FRL 1885-7]****Approval and Promulgation of Implementation Plans; Wisconsin; Correction****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final Rule and Correction Notice.

SUMMARY: This notice announces final rulemaking approving the deadlines by which the State of Wisconsin has committed itself to remedy certain deficiencies in conditionally approved portions of its ozone and carbon monoxide (CO) State Implementation Plan (SIP). EPA proposed rulemaking for the deadlines on May 6, 1981 (46 FR 25323). No public comments were received. EPA is approving the schedule as proposed. Additionally, EPA is correcting two errors in the notice of final rulemaking of May 6, 1981 (46 FR 25294).

EFFECTIVE DATE: This final rulemaking is effective as of September 21, 1981.

ADDRESSES: Copies of the Wisconsin SIP are available for inspection at the following addresses:

U.S. Environmental Protection Agency,
Air Programs Branch, Region V, 230 S.
Dearborn Street, Chicago, Illinois
60604

U.S. Environmental Protection Agency,
Public Information Reference Unit, 401
M Street SW., Washington, D.C. 20460
The Office of the Federal Register, 1100
L Street NW., Room 8401,
Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT:
Anne Ernstein, Regulatory Analysis
Section, Air Programs Branch, Region V,
U.S. Environmental Protection Agency,
230 S. Dearborn Street, Chicago, Illinois
60604, (312) 886-6039.

SUPPLEMENTARY INFORMATION: On May 6, 1981, EPA took final rulemaking action on revisions to the Wisconsin ozone and carbon monoxide (CO) State Implementation Plan (46 FR 25294). This included the overall control strategies for ozone and CO, the transportation portion of the carbon monoxide SIP, and the vehicle emission inspection and maintenance (I/M) program.

Wisconsin had submitted these revisions to satisfy the requirements of Part D of the Clean Air Act (Act) as amended in 1977. As a part of this rulemaking, EPA conditionally approved the transportation control portion of the carbon monoxide SIP and the vehicle

emission I/M program. A conditional approval requires the State to remedy identified deficiencies by specified deadlines.

A discussion of conditional approval and its practical effect appears in the July 2, 1979 Federal Register (44 FR 38583) and the November 23, 1979 Federal Register (44 FR 67182).

In a letter dated April 9, 1981, the State of Wisconsin committed itself to remedy the identified deficiencies in the conditionally approved portions of the SIP on a specific schedule. EPA proposed approval of the deadlines in that schedule on May 6, 1981 (46 FR 25323). No comments were received in response to EPA's proposed approval of the schedules. The schedules are listed below:

1. The State of Wisconsin committed itself to submit by January 1, 1982, if necessary, CO control strategies to address identified CO hotspots in the Milwaukee area. These strategies will be adopted from the 1982 Transportation Improvement Program (TIP) for the Milwaukee Urbanized Area.

2. The State of Wisconsin committed itself to submit by August 15, 1981, the funding/manpower resource commitment action taken by the State Legislature.

3. The State of Wisconsin committed itself to submit by August 15, 1981, a revised implementation schedule for its I/M program.

EPA believes that these final dates are necessary to ensure that deficiencies are timely and appropriately corrected so that the SIP will satisfy the requirements of the Act. Therefore, EPA approves the schedule which it had proposed.

In addition, EPA is taking this opportunity to correct two errors in the May 6, 1981 final rulemaking notice. On pages 25295, 25299, and 25300 in the body of the notice and on pages 25300 and 25301 in the codification of the rulemaking, Walworth County was incorrectly listed as a nonattainment county. Walworth County has never been designated nonattainment by the EPA.

Secondly, in section 52.2577, in the Southeastern Wisconsin Intrastate Air Quality Control Region (AQCR 239) the primary/secondary nonattainment area was incorrectly listed as "currently below secondary standards or unclassifiable" when it should have been listed as "attaining the primary standard by December 31, 1981." EPA is today correcting these errors. Because these errors do not affect EPA's final rulemaking in any way, the May 6, 1981 effective date of that rulemaking is not changed by today's action.

Pursuant to the provisions of 5 U.S.C. (605)(b), I hereby certify that this action which is being taken under sections 110 and 172 of the Act will not have a significant economic impact on a substantial number of small entities. Today's action only approves a schedule submitted by the State. It imposes no further conditions than those agreed to by the State.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirements of a regulatory impact analysis. This regulation will not be "major" as defined by Executive Order 12291 because this action only approves the deadlines to which the State has committed itself to remedy deficiencies in the conditionally approved portions of its ozone and CO SIP.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

Under Section 307(b)(1) of the Act, judicial review of this final action is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Act the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

Note.—Incorporation by reference of the State Implementation Plan for the State of Wisconsin was approved by the Director of the Federal Register on July 1, 1981.

This final rulemaking is issued under the authority of sections 110 and 172 of the Act as amended 42 U.S.C. 7410 and 7502.

Dated: August 8, 1981.
Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Accordingly, on page 46 FR 25300, § 52.2570(c) (16) and (17) are corrected to read as follows:

§ 52.2570 Identification of Plan.

* * *

(c) * * *
(16) On July 12, 1979, Wisconsin submitted its ozone and carbon monoxide plan. This included the plan for the Green Bay, Madison, and Milwaukee urban areas which include the ozone nonattainment counties of Brown, Dane, Kenosha, Milwaukee, Ozaukee, Racine and Waukesha. Supplemental materials and

commitments were submitted on September 4, 1979, February 28, 1980, August 12, 1980, September 25, 1980, November 4, 1980 and April 9, 1981.

(17) On July 12, 1979, Wisconsin submitted its vehicle inspection and maintenance program. Supplemental information and commitments were submitted on August 1, 1979, October 16, 1979, May 7, 1980, May 8, 1980, and April 9, 1981.

Also, title 40 of the Code of Federal Regulations, Chapter 1, Part 52 is amended as follows:

§ 52.2577 [Amended]

1. Section 52.2577, Attainment dates for National Standards, is amended by changing the "c" to an "e" under the CO column for the Primary/Secondary nonattainment areas in the Southeastern Wisconsin Intrastate (AQCR 239).

2. Section 52.2583 is revised as follows:

§ 52.2583 Control strategy: Carbon monoxide.

(a) Part D Conditional Approval—The Wisconsin plan for Milwaukee is approved provided that the following conditions are satisfied:

(1) The plan must if necessary, contain by January 1, 1982 carbon monoxide strategies for identified hotspots in Milwaukee.

(2) The plan must contain by August 15, 1981 a funding/manpower resource commitment for implementing Wisconsin's I/M program.

(3) The plan must contain by August 15, 1981 a revised schedule for implementing Wisconsin's I/M program.

[FR Doc. 81-23784 Filed 8-19-81; 8:45 am]

BILLING CODE 6560-38-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 101

[FPMR Temp. Reg. E-74]

Use Standards for Office Furniture and Furnishings

AGENCY: General Services Administration.

ACTION: Temporary regulation.

SUMMARY: This regulation defines three levels of furniture assignment for individuals, including rank and grade limitations, and provides a suggested table of furniture allowances. The present regulation states only that executive type wood office furniture shall be limited to personnel in grades GS-15 and above (or the equivalent) and

that agencies may develop additional use criteria for furniture and furnishings. This regulation provides uniform furniture use criteria on which agencies can base the development of these additional use standards.

DATES: Effective date: August 20, 1981.

Expiration date: July 30, 1982.

Comments due on or before:
November 30, 1981.

Comments should be addressed to:
General Services Administration (FM),
Washington, D.C. 20406.

FOR FURTHER INFORMATION CONTACT:

Mr. John M. Allen, Assistant
Commissioner for Property Management
(703-557-8600).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs to consumers or others; or significant adverse effects. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

In 41 CFR Chapter 101, the following temporary regulation is listed in the appendix at the end of Subchapter E to read as follows:

Federal Property Management Regulations Temporary Regulation E-74

Use Standards for Office Furniture and Furnishings

July 31, 1981.

1. *Purpose.* This regulation provides revised standards for the use of office furniture and furnishings.

2. *Effective date.* This regulation is effective August 20, 1981.

3. *Expiration date.* This regulation expires on July 30, 1982, unless sooner revised or superseded.

4. *Applicability.* The provisions of this regulation apply to all executive agencies.

5. *Background.* An interagency Inspector General (IG) audit of Federal agency property management practices published in July 1980 disclosed that many agencies have not adhered to personal property use standards

prescribed by the FPMR, specifically as they apply to furniture and to the development of additional use criteria for employees at all grade levels. This regulation will assist agencies that have not done so to establish uniform furniture standards required by the FPMR.

6. *Use standards for office furniture and furnishings.* a. Office furniture and related furnishings shall be assigned to individuals in accordance with the use standards prescribed in this regulation except as provided by subparagraphs b, e, and f, below. Standards, criteria, and allowances listed below represent limitations. Assignment of lower levels or lesser quantities than those listed is permissible. Compatible office furnishings as described in § 101-26.505-2 are subject to the same grade and rank limitations as office furniture, except that carpeting may be supplied for use by other than executive level personnel when it is determined to be justified in accordance with the provisions of § 101-25.302-5.

(1) *Level A—Executive.* The use of executive type office furniture, whether new, used, or rehabilitated, shall be limited to personnel in the Senior Executive Service and above or their equivalent including military rank. This type of furniture includes all items of executive wood furniture consisting of, or comparable to, the traditional and modern wood office furniture and related items illustrated in the GSA Supply Catalog and listed in Federal Supply Schedule FSC Group 71, Parts IIA and IIC (formerly FSC Group 71, Parts VI, XII, and XXXI).

(2) *Level B—Middle management.* The use of middle management type furniture, whether new, used or rehabilitated, shall be limited to personnel in grades GS-13 through 15 or their equivalent, including military rank. This type of furniture includes all items of unitized wood office furniture and related items illustrated in the GSA Supply Catalog and listed in, or comparable to, Federal Supply Schedule FSC Group 71, Part IIB (formerly FSC Group 71, Part VIII).

(3) *Level C—General.* The use of general office furniture, whether new, used, or rehabilitated, shall be authorized for personnel in grades GS-1 through GS-12 or their equivalent, including military rank. This type of furniture includes all items of contemporary steel, general steel, and general wood office furniture listed in the GSA Supply Catalog, and comparable items.

b. If it has been determined that executive and middle management

personnel are entitled to office furniture and furnishings on the basis of the criteria in subparagraph a, above, the agency head or a designee may authorize similar or matching office furniture to be assigned to secretaries and staff assistants whose duties are in direct support of these personnel and are located in contiguous areas. Staff support personnel in the space not contiguous to the executive or manager shall be provided furniture commensurate with their work assignment and grade.

c. When acquisition of additional or replacement furniture is required in accordance with the provisions of §§ 101-25.104-1, and 101-25.404, types of furniture shall be selected for assignment on the basis of subparagraphs a and b, above.

d. Each agency shall establish criteria and a table of allowances for the use of office furniture and furnishings in consonance with the provisions of § 101-25.104 and this regulation, or shall apply the suggested furniture allowances as shown in the following table:

Suggested Table of Furniture Allowances

Item	SES level A	GS-15 level B	GS-13 and 14 level B or C	GS-1 to 12 level C
Desk, conference	1(a)	1(b)	1(b)	
Desk, flat top	1(a)	1(c)	1(c)	1(a)
Desk, typist's				1(a)
Chair, desk	1	1	1	1
Chair, side	(d)	(d)	(d)	(d)
Credenza/ storage unit	1	1	1(a)	1(f)
Telephone stand	1	1	1(a)	1(b)
Bookcase	1	1	1	1
Table, conference	1	1(b)	1(b)	
Sofa	1	1(b), (e)		
Easy chair	2	1(b), (e)		
Coffee table	1	1(b), (e)		
End table	2	1(b), (e)		
Lamp, table	2	1(b), (e)		
Costumer	1	1	1	1(f)

Legend:
(a) Choice of one.
(b) Supervisory position.
(c) Nonsupervisory position.
(d) As many as required.
(e) Optional in place of table and four side chairs.
(f) When required.

e. The agency head or a designee may authorize exceptions to these use standards, provided that these exceptions are in writing, include adequate justification, and are reviewed at least every two years.

f. Office furniture and related furnishings not authorized for specific individuals, such as file cabinets, coat racks, and portable partitions, shall be considered organizational furniture and are not covered by these use standards.

7. *Agency comments.* Comments concerning the effect or impact of this regulation on agency operations should

be consolidated at an appropriate agency level and submitted to the General Services Administration (FM), Washington, DC 20406, no later than November 30, 1981.

8. *Effect on other directives.* This regulation supersedes the provisions of § 101-25.302-1.

Ray Kline,

Acting Administrator of General Services.

July 31, 1981.

[FR Doc. 81-24306 Filed 8-19-81; 8:45 am]

BILLING CODE 6820-24-M

COMMUNITY SERVICES ADMINISTRATION

45 CFR Part 1069

Rescission of Interpretive Ruling and Rescission of Waiver of Special Conditions; Grantee Personnel Management

AGENCY: Community Services Administration.

ACTION: Notice of rescission of interpretive ruling and rescission of waiver of certain grantee special conditions.

SUMMARY: The Community Services Administration is publishing a rescission of an interpretive ruling issued by the General Counsel on January 12, 1981 and published in the Federal Register on January 19, 1981 (46 FR 4919). The interpretive ruling provided the Agency's legal position on the effect of certain lobbying prohibitions attached to CSA's appropriations acts for fiscal years 1980 and 1981 (Pub. L. 96-123, Pub. L. 96-369 and Pub. L. 96-536). The purpose of publishing this rescission of the January 19, 1981 interpretive ruling is to inform CSA grantees that the Agency has again decided to review the effect of the statutory lobbying prohibitions on present CSA regulations (45 CFR 1069.6). Thus, this notice rescinds the January 19, 1981 interpretive ruling and also rescinds the waiver of special conditions attached to CSA grantees' fiscal years 1980 and 1981 grants relating to lobbying prohibitions.

FOR FURTHER INFORMATION CONTACT:

John Meyer, Deputy General Counsel, Community Services Administration, 1200 19th Street NW., Washington, D.C. 20506, Telephone (202) 254-6004, Teletypewriter (202) 254-6218.

(Sec. 602, 78 Stat. 530, 42 U.S.C. 2942)

Dwight Ink,
Director.

Notice of Rescission of Interpretive Ruling and Rescission of Waiver of Special Conditions.

1. *Rescission of Interpretive Ruling.* The Community Services Administration is currently preparing to revise its lobbying regulation, found at 45 CFR 1069.6, pursuant to a decision rendered on May 1, 1981, by the Comptroller General of the United States. According to the Comptroller General, there are two distinct legislative lobbying restrictions applicable to CSA appropriations. The first, Pub. L. 536, December 16, 1980, 94 Stat. 3166, continues the appropriation for fiscal year 1981 and incorporates by reference Section 407 of H.R. 4389, Department of Labor, Health and Human Services, Education, and Related Agencies Appropriations 1981, that passed the House of Representatives of August 2, 1980. Section 407 provides as follows:

"Sec. 407. No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself. No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient or agent acting for such recipient to engage in any activity designed to influence legislation or appropriations pending before the Congress."

The Comptroller General, in his May 1, 1981 decision, concluded as follows:

"* * * that Section 407 is applicable to CSA and its recipients, notwithstanding an Interpretive Ruling and waiver of Special Conditions that CSA promulgated in 46 FR 4919, January 19, 1981, that purported to exempt CSA recipients from the effects of that section."

The Comptroller General stated in his opinion that it found no evidence in the legislative history or in the restriction itself that Congress intended to exempt CSA from its coverage. In his opinion of May 1, 1981, the Comptroller General maintained that Sec. 407 applies to any activities by grantees which could be construed as lobbying. Referring to Sec. 407, the Comptroller General stated: